

(JTLx), CLOSED, DISCOVERY, FOIA, RELATED-G

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
(Western Division – Los Angeles)  
CIVIL DOCKET FOR CASE #: 2:04-cv-07165-GPS-JTL**

Patsy Reed et al v. Federal Bureau of Prisons et al  
Assigned to: Judge George P. Schiavelli  
Referred to: Magistrate Judge Jennifer T. Lum  
Related Case: 2:04-cv-00151-GPS-JTL  
Cause: 05:552 Freedom of Information Act

Date Filed: 08/26/2004  
Date Terminated: 09/06/2006  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Patsy Reed**

*as the personal representative of the  
Estate of Corey Lee Proby and as an  
individual*

represented by **Christopher G Weston**  
Weston Law Connection, Corp  
4311 Wilshire Boulevard, Suite 615  
Los Angeles, CA 90010  
323-936-0815  
Email: [wlconnection@aol.com](mailto:wlconnection@aol.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Ciara Savannah Ray**

*a minor, by and through their Guardian  
ad Litem, Patsy Reed*

represented by **Christopher G Weston**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Dominic Henriquez**

*a minor, by and through their Guardian  
ad Litem, Patsy Reed*

represented by **Christopher G Weston**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Careen Ornee Proby**

*a minor, by and through their Guardian  
ad Litem, Patsy Reed*

represented by **Christopher G Weston**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**Federal Bureau of Prisons**

**Defendant**

**Alvaro Herrera**

*as Warden of USP Lompoc Penitentiary,  
in his official and individual capacity*

**Defendant**

**United States Department of Justice**

*United States Attorneys Office*

**Defendant**

**John Ashcroft**

*United States Attorney General*

**Defendant****Keith M Staub***Assistant United States Attorney*represented by **Keith M Staub**

AUSA – Office of US Attorney

Civil Division

300 N Los Angeles St

Suite 7516

Los Angeles, CA 90012

213-894-7423

Email: [keith.staub@usdoj.gov](mailto:keith.staub@usdoj.gov)**LEAD ATTORNEY****ATTORNEY TO BE NOTICED****Defendant****Wanda M Hunt***in her official and individual capacity as  
the Chief of the FOIA/PA Section***Defendant****Does***1 – 10, inclusive*

Date Filed	#	Docket Text
08/26/2004		LODGED COMPLAINT fwd to Duty Magistrate Judge, filed by plaintiffs Dominic Henriquez, Careen Ornee Proby, Ciara Savannah Ray, Patsy Reed.(jag, ) (Entered: 09/07/2004)
08/26/2004	1	REQUEST to Proceed In Forma Pauperis, Declaration in Support filed by plaintiff Patsy Reed. (jag, ) (Entered: 09/07/2004)
08/26/2004	2	APPLICATION for Appointment of Guardian ad Litem. filed by plaintiff Patsy Reed. (jag, ) (Entered: 09/07/2004)
09/03/2004	3	ORDER by Judge Victor B. Kenton granting 1 Request for Leave to file action without prejudice of filing fee. (jp, ) (Entered: 09/15/2004)
09/03/2004	4	COMPLAINT against Defendants John Ashcroft, Does, Federal Bureau of Prisons, Alvaro Herrera, Wanda M Hunt, Keith M Staub, United States Department of Justice. (Filing fee in forma pauperis), filed by plaintiffs Dominic Henriquez, Careen Ornee Proby, Ciara Savannah Ray, Patsy Reed. (jp, ) (Entered: 09/15/2004)
09/03/2004		Judge Consuelo B. Marshall and Rosalyn M. Chapman added. Judge Unassigned no longer assigned to case. (jp, ) (Entered: 09/15/2004)
09/03/2004	5	CERTIFICATION AND NOTICE of Interested Parties filed by Plaintiffs Dominic Henriquez, Careen Ornee Proby, Ciara Savannah Ray, Patsy Reed. (jp, ) (Entered: 09/15/2004)
09/03/2004	6	ORDER by Judge Victor B. Kenton granting 2 Application to Appoint Guardian ad Litem. Appointing Patsy Reedas Guardian ad Litem for Ciara Savannah Ray, Dominic Henriquez, Careen Ornee. (jp, ) (Entered: 09/15/2004)
09/16/2004	7	STANDING ORDER which controls procedures used in this case by Judge Consuelo B. Marshall (lc, ) (Entered: 09/17/2004)
10/06/2004	8	MINUTES OF PROCEEDINGS: In Chambers Conference held before Judge Consuelo B. Marshall : The Court issues this Order to Show Cause as to why the Complaint should not be dismissed for failure to exhaust administrative remedies. Plaintiffs are hereby Ordered to Show Cause in writing no later than 10/20/2004, with factual predicate showing that administrative remedies have been exhausted. A failure to respond timely may result in dismissal of this action. IT IS SO ORDERED.Court Reporter: none present. (el, ) (Entered: 10/08/2004)

10/19/2004	9	DECLARATION OF PATSY REED AND MEMORANDUM OF POINTS AND AUTHORITIES IN RESPONSE to Order to Show Cause <sup>8</sup> filed by Plaintiff Patsy Reed (mch, ) (Entered: 10/22/2004)
10/21/2004	<u>10</u>	MINUTES OF PROCEEDINGS:In Chambers Conference held. Plaintiffs filed a timely response on 10/19/04 to the Order to Show Cause as to why the complaint should not be dismissed. Upon consideration of the papers submitted, the Order to Show Cause is VACATED. Court Reporter: none present. (el, ) (Entered: 10/22/2004)
11/12/2004	11	MOTION for an Order for Leave To Proceed in Forma Pauperis and to have the United States Marshal's Office serve the process of the summons and complaint, pursuant to title 28 USC section 1915; Memorandum of Points and Authorities; Declaration of Patsy Reed filed by Plaintiff Patsy Reed. Lodged order. (rl, ) (Entered: 11/17/2004)
01/07/2005	<u>12</u>	MINUTES Order to Show Cause/Dismissal for Lack of Prosecution by Judge Consuelo B. Marshall: It is ordered that the Plaintiff shall respond in writing on or before 1/18/05 as to why the Complaint in this action shall not be dismissed for lack of prosecution. The Plaintiffs shall appear for oral argument on 1/24/05 at 11:00am. Court Reporter: n/a. (dw, ) (Entered: 01/07/2005)
01/19/2005	13	APPLICATION for an Order for Leave to File a Belated Declaration of Patsy Reed and Memorandum of Points and Authorities in Response to Order to Show Cause as to why complaint should not be dismissed filed by Plaintiff Patsy Reed. Application set for hearing on 1/24/2005 at 11:00 AM before Honorable Consuelo B. Marshall. Lodged Order. (el, ) (Entered: 01/21/2005)
01/20/2005	<u>14</u>	MINUTES by Judge Consuelo B. Marshall: Granting plaintiffs APPLICATION for Leave to File Belated Declaration of Patsy Reed 13 in response to the Order to Show Cause. Court Reporter: n/a. (mg, ) (Entered: 01/21/2005)
01/24/2005		Summons Issued re Complaint – (Discovery) 4 as to Keith M Staub, Wanda M Hunt, Federal Bureau of Prisons, Alvaro Herrera, United States Department of Justice, John Ashcroft. (rl, ) (Entered: 01/26/2005)
01/24/2005	16	MINUTES by Judge Consuelo B. Marshall : Reset Hearings: Order to show cause continued to 2/14/2005 at 10am. Court Reporter: Leandra Amber. (yc, ) (Entered: 02/04/2005)
01/26/2005	15	NOTICE of Related Case(s) filed by Defendants Keith M Staub, Wanda M Hunt, Federal Bureau of Prisons, Alvaro Herrera, United States Department of Justice, John Ashcroft. Related Case(s): CV 04–151 GPS (JTLx) (rn, ) (Entered: 01/27/2005)
01/28/2005		PREPARED ORDER RE TRANSFER Pursuant to General Order 224 (Related Case) by Clerk; related to CV 04–0151 GPS (JTLx). (rn, ) (Entered: 01/28/2005)
02/11/2005	17	APPLICATION for Order for an Extension of Time to Serve Defendants with the Summons and Complaint, pursuant to Rules 4 and 6 of the Federal Rules fo Civil Procedure; memorandum of points and authorities; Declaration of Patsy Reed filed by Plaintiff Patsy Reed. Lodged proposed order. (shb, ) (Entered: 02/15/2005)
02/14/2005	18	ORDER by Judge Consuelo B. Marshall : granting 17 APPLICATION for Order for an Extension of Time to Serve Defendants with the Summons and Complaint, pursuant to Rules 4 and 6 of the Federal Rules fo Civil Procedure. Plaintiff is granted an extension of time to serve Defendants Alvaro Herrera on or before March 15, 2005. Plaintiff shall file the required proof of service with the court once service has been accomplished of completed forthwith. (shb, ) (Entered: 02/15/2005)
02/14/2005	20	PROOF OF SERVICE defendant John Ashcroft filed by plaintiff Patsy Reed of (document not specifed) served on (date of service not specified); copies of Summon, Certified Mail Receipt and domestic return receipt attached. (syb, ) (Entered: 02/17/2005)
02/14/2005	21	PROOF OF SERVICE defendant United States Department of Justice filed by plaintiff Patsy Reed of (document not specifed) served on (date of service not

		specified); copies of Summon, Certified Mail Receipt and domestic return receipt attached. (syb, ) (Entered: 02/17/2005)
02/14/2005	22	PROOF OF SERVICE defendant Wanda M. Hunt filed by plaintiff Patsy Reed of (document not specified) served on (date of service not specified); copies of Summon, Certified Mail Receipt and domestic return receipt attached. (syb, ) (Entered: 02/17/2005)
02/14/2005	23	PROOF OF SERVICE defendant Alvaro Herrera filed by plaintiff Patsy Reed of (document not specified) served on (date of service not specified); copies of Summon, Certified Mail Receipt and domestic return receipt attached. (syb, ) (Entered: 02/17/2005)
02/14/2005	24	PROOF OF SERVICE defendant Federal Bureau of Prisons filed by plaintiff Patsy Reed of (document not specified) served on (date of service not specified); copies of Summon, Certified Mail Receipt and domestic return receipt attached. (syb, ) (Entered: 02/17/2005)
02/14/2005	25	PROOF OF SERVICE Executed by plaintiff Patsy Reed, upon Keith M Staub, Deputy US Attorney served on 2/8/2005, answer due 4/9/2005. The Summons and Complaint were served by Personal service and substituted service, by Federal statute. Service accepted by Genoveva Ortega, Legal Clerk on behalf of Keith M Staub, Deputy U.S. Attorney. Original Summons not returned. (syb, ) Modified on 2/17/2005 (syb, ). (Entered: 02/17/2005)
02/14/2005	26	MINUTES OF IN CHAMBERS ORDER by Judge Consuelo B. Marshall: Order to Show Cause Re Dismissal for Lack of Prosecution. OFF THE RECORD: Order to Show Cause re Dismissal for Lack of Prosecution is vacated and set aside.Court Reporter: N/A. (shb, ) (Entered: 02/24/2005)
02/14/2005		***Terminated all deadlines and hearings. Order to Show Cause re Dismissal for Lack of Prosecution is vacated and set aside. (shb, ) (Entered: 02/24/2005)
02/16/2005	<u>19</u>	ORDER RE TRANSFER PURSUANT TO GENERAL ORDER 224 –Related Case– filed. Related Case No: CV 04–0151 GPS (JTLx). Case transfered from Judge Rosalyn M. Chapman and Consuelo B. Marshall to Judge George P. Schiavelli and Jennifer T. Lum for all further proceedings. The case number will now reflect the initials of the transferee Judge CV 04–7165 GPS (JTLx).Signed by Judge George P. Schiavelli (rn, ) (Entered: 02/16/2005)
03/10/2005	27	NOTICE OF MOTION AND MOTION to Dismiss filed by Federal Defendants Keith M Staub. Motion set for hearing on 4/25/2005 at 01:30 PM before Honorable George P. Schiavelli. Lodged order. (pj, ) (Entered: 03/14/2005)
03/22/2005	28	Proof of service of summons and complaint Returned Unexecuted as to Alvaro Herrera. (jag, ) (Entered: 03/23/2005)
03/22/2005	29	PROOF OF SERVICE filed by Plaintiffs Patsy Reed, Ciara Savannah Ray, Dominic Henriquez, Careen Ornee Proby. re Complaint – (Discovery), Complaint – (Discovery) 4 , was served on 3/14/05 by Certified mail, return receipt, copy attached served upon the US Attorney's Office signed by Robert Parker. (shb, ) (Entered: 03/29/2005)
03/28/2005	30	PROOF OF SERVICE Executed by Plaintiffs Patsy Reed, Ciara Savannah Ray, Dominic Henriquez, Careen Ornee Proby, uponUnited States Department of Justice served on 3/21/2005, answer due 5/20/2005. The Summons and Complaint were served by Certified Mail, Return Receipt Requested, by Federal statute. Service accepted by S Robinson, on 3/21/05, copy of return receipt attached on behalf of Defendant US Department of Justice. Original Summons not returned. (shb, ) (Entered: 04/04/2005)
03/28/2005	31	PROOF OF SERVICE Executed by Plaintiffs Patsy Reed, Ciara Savannah Ray, Dominic Henriquez, Careen Ornee Proby, upon The Summons and Complaint were served by Certified mail, by Federal statute. Service accepted by Ernest Parker received 2/14/05 on behalf of Unite dStates Attorney General's Office. Original Summons Not Returned. (shb, ) (Entered: 04/04/2005)

04/18/2005	32	RESPONSE to opposition to MOTION to Dismiss 27 filed by plaintiffs Patsy Reed, Ciara Savannah Ray, Dominic Henriquez, Careen Ornee Proby. (jag, ) (Entered: 04/25/2005)
04/18/2005	33	PROOF OF SERVICE filed by plaintiffs Patsy Reed, Ciara Savannah Ray, Dominic Henriquez, Careen Ornee Proby. (jag, ) (Entered: 04/25/2005)
04/26/2005	34	REPLY to opposition to MOTION to Dismiss 27 and motion to disqualify filed by defendants Keith M Staub, Wanda M Hunt, Federal Bureau of Prisons, Alvaro Herrera, United States Department of Justice, John Ashcroft. (ca, ) (Entered: 05/06/2005)
05/02/2005	35	PROOF OF SERVICE Executed by Plaintiffs Patsy Reed, Ciara Savannah Ray, Dominic Henriquez, Careen Ornee Proby, upon John Ashcroft served on 2/4/2005, answer due 4/5/2005. The Summons and Complaint were served by Certified Mail, Return Receipt, by Federal statute. Service accepted by Ernest Parker on behalf of John Ashcroft, Attorney General. Original Summons not returned. (shb, ) (Entered: 05/10/2005)
05/13/2005	36	PROOF OF SERVICE HAS BEEN COMPLETED ON ALL DEFENDANTS AND ORIGINAL SUMMONS RETURNED Executed by Plaintiffs Patsy Reed, Ciara Savannah Ray, Dominic Henriquez, Careen Ornee Proby, upon Defendants Keith M Staub; Wanda M Hunt; Federal Bureau of Prisons; Alvaro Herrera; United States Department of Justice; John Ashcroft are served on 5/12/2005, answer due 7/11/2005. The Summons and Complaint were served by mail, by Federal statute. (Name and Capacity did not indicated on Service accepted on behalf of Defendants. Original Summons returned. (jp, ) (Entered: 05/23/2005)
06/06/2005	37	Substitution of Attorney filed. Substituting attorney Christopher G Weston for Patsy Reed in place and stead of Pro Se Patsy Reed by Judge George P. Schiavelli. (jp, ) (Entered: 06/08/2005)
07/20/2005	39	REQUEST for Approval of Substitute of attorney Christopher G. Weston, Esq. in place and instead of Patsy Reed in Pro Se filed by plaintiff Patsy Reed. Lodged Proposed Order. (ca, ) (Entered: 07/29/2005)
07/21/2005	38	Substitution of Attorney filed. Substituting attorney Christopher G Weston for Dominic Henriquez; Careen Ornee Proby; Patsy Reed and Ciara Savannah Ray in place and stead of plaintiffs in pro per by Judge George P. Schiavelli.(jag, ) (Entered: 07/25/2005)
06/14/2006		Motions No Longer Referred: MOTION for Leave 11 (to correct CJRA report) (cjra1, ) (Entered: 06/14/2006)
09/06/2006	<u>40</u>	MINUTES (IN CHAMBERS) by Judge George P. Schiavelli: The Court GRANTS Defendants MOTION to Dismiss 27 and dismisses this action pursuant to FRCP 12(b)(1). (See document for further details.) (Made JS-6. Case Terminated.)Court Reporter: Not present. (pcl, ) (Entered: 09/07/2006)